

**Food Stamp Program  
Nonfinancial Eligibility Standards**(9) Addicts and Alcoholics

A regular participant, resident or nonresident, in a drug addiction or alcoholic treatment and rehabilitation program is exempt. Participation, if questionable, may be verified through the organization or institution operating the program.

(10) Employed Persons

Persons employed or self-employed may be exempt if working a minimum of 30 hours weekly or receiving weekly earnings equal to or greater than the federal minimum wage multiplied by 30 hours. The guidelines for determining an applicant's or recipient's eligibility for this exemption are as follows:

- (a) Verification of earned income, as required for certification, is sufficient to establish this exemption, provided the amount of income appears to be consistent with a 30-hour work week.
  - 1. If the income of the employed individual does not meet the preceding test but he or she still claims to be employed, the applicant shall be requested to supply documentary evidence of the existence of an employee-employer relationship and that the number of hours worked is equivalent to 30 hours a week.
  - 2. If a self-employed person's income does not meet this test, he or she must establish that the income received from the self-employment enterprise is sufficient to be considered gainful employment and that the volume of work claimed justifies a determination that the self-employment enterprise is a full-time job for the purpose of this exemption.
- (b) Persons engaged in hobbies or any other activity that cannot, because of the minimal amount of monies received from such activity, be considered gainful employment are not exempt.

(11) Resident of a Waived Area

A person who otherwise would be required to participate in the Food Stamp Work Program is exempt if living in an area of the state approved as exempt by the United States Department of Agriculture.

(C) Method of Work Registration

Nonexempt assistance unit members must complete and sign the work registration section on a form prescribed by the Department. A copy of the form is retained in the case record.

**Food Stamp Program  
Nonfinancial Eligibility Standards****Chapter 362  
Page 362.320****Rev. 6/2008****(4 of 5)****(D) Community Service Program Participation Criteria**

- (1) FS/Work Program participants unable to find a job must work in an uncompensated volunteer Community Service Program site in a public, quasi-public or non-profit organization, except that such placement cannot be in the office of an individual candidate's campaign for public office.
- (2) Participation Requirements
  - (a) Each Community Service Program participant must:
    1. self-arrange a volunteer Community Service Program placement approved by the Department; or
    2. select a volunteer FS Community Service Program placement identified by the Department; or
    3. accept a Department-assigned volunteer FS Community Service Program placement within 10 days when the participant has not selected one of the participation options listed in 1 or 2 above.
  - (b) Each Community Service Program participant must comply with the following Community Service Program activities:
    1. Attend the required hours per month as specified in (A) above; and
    2. Perform satisfactorily in this component, as defined by the provider; and
    3. Provide verification of placement and participation at time periods determined by the Department on a form prescribed by the Department.
- (3) Other Community Service Program Participant Responsibilities
  - (a) Report to the appropriate Community Service Program site when referred by the Department.
  - (b) Report for an interview to the appropriate Community Service Program site upon reasonable request.
  - (c) Respond to a request from the Community Service Program site for supplemental information regarding employment status or availability for work.
  - (d) Accept an offer of employment from the Community Service Program site.

**Food Stamp Program  
Nonfinancial Eligibility Standards**

Rev. 6/2008

(5 of 5)

**(E) Ineligibility for Failure to Comply**

FS/Work Program participants who choose not to comply with the above requirements for three months (which do not have to be consecutive) in a three-year period will be ineligible for the Food Stamp Program for the remaining months in the three-year period unless they meet the requirements of (H) below.

**(F) Regaining Eligibility**

Assistance unit members who are determined ineligible for failure to comply with the FS/Work Program requirements for three months during a three-year period may regain eligibility, *if otherwise eligible*, after the member who failed to comply:

- (1) Works at a job for 80 hours during a 30-day period; or
- (2) Works at a community service site for a specified number of hours per month determined by dividing the monthly food stamp allotment by the minimum wage.

**(G) Maintaining Eligibility**

Assistance unit members who regain eligibility under (H) above shall remain eligible for the balance of the three-year period as long as they continue to comply with the FS/Work Program requirements by:

- (1) Working at a job 20 hours per week averaged monthly; or
- (2) Working at a community service site for a specified number of hours per month determined by dividing the monthly food stamp allotment by the minimum wage.

**(H) Loss of Employment Exception**

Assistance unit members who regain eligibility under (H) above and are subsequently terminated from a job for reasons beyond their control may continue to participate in the Food Stamp Program for an additional three months without complying with 106 CMR 362.320(A). This exception is limited to a single three months during the balance of the three-year period.